

# EXHIBIT D

**From:** [Kelly M. Donoho -DPSCS-](#)  
**To:** [Lauren A. DiMartino](#)  
**Cc:** [merrilyn.ratliff@maryland.gov](mailto:merrilyn.ratliff@maryland.gov); [Eve Hill](#); [dgolden@debgoldenlaw.com](mailto:dgolden@debgoldenlaw.com); [Jessie Weber](#); [Sharon Krevor-Weisbaum](#)  
**Subject:** Re: Gilliam et al v. DPSCS Amended Complaint  
**Date:** Wednesday, June 12, 2024 4:33:36 PM

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**SECURITY ALERT:** This email is from an external source.

Good afternoon,

After consultation, we cannot agree to toll the statute of limitations of Ms. Holland and Ms. Grey's tort claims until after we receive a decision on our motion to dismiss. First, we cannot justify waiving an affirmative defense on our clients' behalf for our own efficiency purposes. Second, as expressed in our February 26, 2024 response to your request for consent to file a Fourth Amended Complaint, we believe any such amendment would not only be late but also futile.

Best,  
Kelly

On Wed, Jun 12, 2024 at 1:06 PM Lauren A. DiMartino <[ldimartino@browngold.com](mailto:ldimartino@browngold.com)> wrote:

Good afternoon-

I am writing to follow up on the below. Please let us know by noon tomorrow (Thursday, June 13) if you would be amenable to tolling the statute of limitations of Ms. Holland and Ms. Grey's tort claims until after we receive a decision on the motion to dismiss.

Thank you,

Lauren

**Lauren DiMartino**

Attorney

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Pronouns: she/her/hers

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Brown, Goldstein & Levy handles both civil and criminal litigation and has active practices in many other areas of the law, including family law, disability rights, and health care. For more information, visit [browngold.com](http://browngold.com).

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**From:** Lauren A. DiMartino

**Sent:** Tuesday, June 4, 2024 9:31 AM

**To:** [merrilyn.ratliff@maryland.gov](mailto:merrilyn.ratliff@maryland.gov); [kelly.donoho@maryland.gov](mailto:kelly.donoho@maryland.gov)

**Cc:** Eve Hill <[EHill@browngold.com](mailto:EHill@browngold.com)>; [dgolden@debgoldenlaw.com](mailto:dgolden@debgoldenlaw.com); Jessie Weber <[JWeber@browngold.com](mailto:JWeber@browngold.com)>; Sharon Krevor-Weisbaum <[skw@browngold.com](mailto:skw@browngold.com)>

**Subject:** Gilliam et al v. DPSCS Amended Complaint

Counsel-

We have received a response from the treasurer's office denying fault for Kennedy Holland's tort claims under the Maryland Tort Claims Act. Additionally, pursuant to the Maryland Tort Claims Act, Ms. Grey has exhausted the six-month waiting period for filing a claim against the state. We now need to amend the complaint to this effect. For efficiency purposes, we would like to see if you would agree to toll the statute of limitations of Ms. Holland and Ms. Grey's tort claims until after we get a decision on the motion to dismiss. Amending the complaint after the decision will postpone the need for your client to file a response or motion to dismiss to the amended complaint. We would be happy to discuss by phone if that would be easier.

Thank you,

Lauren

**Lauren DiMartino**

Attorney

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